

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11  
: :  
DELPHI CORPORATION, et al., : Case No. 05-44481 (RRD)  
: :  
: (Jointly Administered)  
: :  
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**OFFICIAL DELPHI COMMITTEE OF RETIRED EMPLOYEES'**  
**FIRST REQUEST FOR RELEVANT DOCUMENTS AND INFORMATION**

Pursuant to 11 U.S.C. § 1114 and the ORDER UNDER 11 U.S.C. §§ 105, 363(b)(1), 1108, AND 1114(d) (I) PROVISIONALLY CONFIRMING DEBTORS' AUTHORITY TO TERMINATE EMPLOYER-PAID POST-RETIREMENT HEALTH CARE BENEFITS AND EMPLOYER-PAID POST-RETIREMENT LIFE INSURANCE BENEFITS FOR CERTAIN (A) SALARIED EMPLOYEES AND (B) RETIREES AND THEIR SURVIVING SPOUSES, (II) DIRECTING APPOINTMENT OF COMMITTEE OF RETIRED EMPLOYEES WITH LIMITED SCOPE, AND (III) SETTING MARCH 11, 2009 FINAL HEARING (hereinafter "Order Appointing Retirees' Committee"), the Official Delphi Committee of Retired Employees (hereinafter "Retirees' Committee") requests the following relevant documents and information in possession of Debtors.

Predicated upon the Order Appointing Retiree Committee, the documents and information requested must be produced (preferably in electronic form) to counsel for Retirees' Committee by no later than Tuesday, March 3, 2009 at 12:00 pm (Eastern). In the event that production of any materials requested herein cannot be produced within said timeframe, said materials should still be produced as soon as possible, before March

6, 2009. Retirees reserve the right to assert material prejudice predicated upon the production of any materials after March 3, 2009.

For purposes of this request, “retiree benefits” shall have the meaning as defined in 11 U.S.C. §1114(a). The term “Delphi” shall refer to all debtor entities in Case No. 05-44481.

### **DOCUMENTS AND INFORMATION REQUESTED**

To the extent not previously produced by Debtors, please provide the following:

1. An electronic file reflecting that identity of all retired employees (spouses and dependents) currently entitled to retiree benefits, including (a) mailing addresses, (b) dates of birth; (c) designation of retiree benefits currently being provided to each retiree, spouse and dependant (i.e. health care insurance, amount thereof, contributions if any to Medicare Parts, life insurance and/or disability); (d) employment start date; and (e) retirement date.
2. All documents reflecting retiree benefits provided by Delphi since Delphi’s incorporation as a wholly owned subsidiary of General Motors Corporation (“GM”).
3. All acquisition documents reflecting any and all instances where Delphi acquired any companies (corporations or other legal entities) in which Delphi agreed to assume or continue any retiree benefits with respect to the employees and/or retirees of any such company acquired. In responding to this request, also provide any schedules and/or exhibits to such acquisition documents that reflect or otherwise describe the retiree benefits at issue.
4. All documents reflecting any and all contractual agreements or other written documentation reflecting: (a) a transfer of any retiree benefits from GM to Delphi; and/or (b) all documents reflecting monies or value provided by GM to Delphi (or otherwise made available) with respect to the payment of and/or relating to Delphi’s assumption of retiree benefits.
5. All written communications with GM in connection with the sale (or potential sale) of assets and/or ongoing operations by Delphi to GM that reference any COBRA (Consolidated Omnibus Budget Reconciliation Act) obligations, continuation coverage and/or elimination of COBRA benefits.

6. All documents reflecting settlement agreements with any individual retirees, groups of retirees, class of retirees and/or non-union employees providing for, relating to and/or referring to retiree benefits. This should include, but not be limited to, settlement agreements arising out of any and all litigation, arbitrations and/or mediations.
7. All document reflecting, referring and/or related to retiree benefits provided by Delphi on account of and/or or relating to any disability.
8. All documents reflecting any communications between Delphi and/or GM to any and all of their respective employees or retirees describing retiree benefits. This should include, but should not be limited to, correspondence accompanying plan descriptions and materials produced during presentations to employees concerning retiree benefits.
9. All documents describing or related to the offering of retiree benefits (or modification of same) promised in return for termination, early retirement, changes in salaries, changes to pension benefits and/or any other consideration requested from non-union employees.
10. All documents reflecting or referring to retiree benefits in any employment agreements, retirement agreements, severance agreements or separation agreements.
11. Documents and information reflecting the COBRA rates and terms offered to terminated employees in 2008 and 2009.
12. Documents relating to and/or describing any life insurance policies currently in place with respect to any and all retirees, including but not limited to, those reflecting conversion rights that may be afforded to and/or belonging to retirees of Delphi.
13. FAS 106 study/disclosures and any other audits, valuations and/or actuarial analysis performed with respect to non-union retiree benefits since January 1, 2005.
14. All documents, analysis and communications regarding Delphi's remaining projected OPEB liabilities to salaried workers, retirees and those on disability assuming a grant of Delphi's motion filed on February 4, 2009, seeking to terminate retiree benefits.
15. To the extent not otherwise produced in response to any request herein, any and all documents otherwise relating to any retiree benefit that: (a) promise, imply or provide for vested retiree benefits and/or (b) otherwise refer to "lifetime" retiree benefits.

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On behalf the Official Delphi  
Committee of Retired Employees

/s Jon D. Cohen

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